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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 HANNA V. CONGER,
9 Plaintiff,

10 v.

11 K&D FISHERIES LLC, *et al.*,
12 Defendants.
13

Case No. C17-1270 RSM

ORDER TRANSFERRING CASE TO
DISTRICT OF ALASKA

14 On October 20, 2017, this Court issued an Order reinstating Plaintiff's maintenance
15 and cure. Dkt. #22. Shortly thereafter, Defendants moved for reconsideration, noting that they
16 have filed a motion for summary judgment seeking dismissal of this case for lack of
17 jurisdiction, or, in the alternative, transfer to the District of Alaska.¹ Dkt. #23. The Court
18 directed Plaintiff to respond to the motion for reconsideration. Dkt. #24. Plaintiff has now
19 filed a motion to transfer, stating that while she has questions regarding appropriate
20 jurisdiction, in the interest of efficiency and judicial economy she agrees to a transfer of this
21 matter to the District of Alaska. Dkt. #25.
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24 Under 28 U.S.C. § 1404, this Court has discretion to transfer this case in the interests
25 of convenience and justice to another district in which venue would be proper. *See Jones v.*
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30 ¹ The motion for summary judgment is noted for consideration on November 17, 2017. Dkt.
#21.

1 *GNC Franchising, Inc.*, 211 F.3d 495, 498 (9th Cir. 2000). Specifically, Section 1404(a)
2 states:

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4 For the convenience of parties and witnesses, in the interest of justice, a
5 district court may transfer any civil action to any other district or division
6 where it might have been brought or to any district or division to which
all parties have consented.

7 28 U.S.C. § 1404(a). The purpose of this statute is to “prevent the waste of time, energy, and
8 money and to protect litigants, witnesses and the public against unnecessary inconvenience
9 and expense.” *Pedigo Prods., Inc. v. Kimberly-Clark Worldwide, Inc.*, No. 3:12-CV-05502-
10 BHS, 2013 U.S. Dist. LEXIS 12690, 2013 WL 364814, at *2 (W.D. Wash. Jan. 30, 2013)
11 (quoting *Van Dusen v. Barrack*, 376 U.S. 612, 616, 84 S. Ct. 805, 11 L. Ed. 2d 945 (1964)).
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14 In the instant matter Defendants have requested a transfer to the District of Alaska,
15 and Plaintiff not only agrees to, but has now affirmatively sought, the transfer of this case to
16 the same District. Dkt. #25. Having reviewed the parties’ briefing, the Declarations in
17 support thereof, and the remainder of the record, the Court finds that transfer is appropriate.
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19 Accordingly, the Court hereby finds and ORDERS:

- 20 1. Defendants’ Motion for Reconsideration (Dkt. #23) is GRANTED. The Court’s
21 prior Order reinstating Plaintiff’s maintenance and cure (Dkt. #22) is VACATED.
22 Nothing in this Order precludes Plaintiff from re-filing her motion in the U.S.
23 District Court for the District of Alaska should she feel such action is necessary.
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25 2. Defendant’s Motion for Summary Judgement (Dkt. #21) is GRANTED IN PART,
26 in that the Court will transfer this case to the District of Alaska.
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28 3. Plaintiff’s Motion to Transfer (Dkt. #25) is GRANTED, and this case is hereby
29 TRANSFERRED to the District of Alaska for resolution.
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1 4. This case is now CLOSED.

2 DATED this 26th day of October 2017.

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6 RICARDO S. MARTINEZ
7 CHIEF UNITED STATES DISTRICT JUDGE
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